



Drafting A Social Host Ordinance

A **How-To Guide** For Washington State Communities

Social Host ordinances focus on the setting where drinking occurs regardless of who provides the alcohol. These local ordinances provide law enforcement with additional tools that go beyond the Revised Code of Washington (RCW 66.44.270), which prohibits providing (also known as furnishing) alcohol to minors.



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WA State Coalition to Reduce Underage Drinking

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Introduction

Why are we concerned about underage drinking?

There are many good reasons for our concerns about youth alcohol use.¹

- Motor vehicle crashes are the leading cause of death among youth ages 15 to 20.
- Alcohol use is associated with many of the risky behaviors of youth, including drug use and delinquency, carrying a weapon, fighting, and perpetrating or being the victim of sexual assault.
- Alcohol use is also linked with youthful deaths by drowning, suicide and homicide.
- A person who begins drinking by the age of 15 is four times more likely to develop alcohol dependence than someone who waits until adulthood to use alcohol.
- During adolescence, new networks are being formed in the brain. Alcohol use during this time can affect brain development.

According to the Washington State Healthy Youth Survey (HYS)², 14 percent of 8th graders and 28 percent of 10th graders reported using alcohol within the past 30 days. In addition:

- Binge drinking (i.e., five or more drinks on at least one occasion during the previous two weeks) ranged from a low of 4 percent among Grade 6 students to a high of 25 percent among Grade 12 students.
- 5 percent of Grade 8, 10 percent of Grade 10, and 16 percent of Grade 12 students reported heavy drinking.
- About 1 in 7 Grade 6 students think it is easy to get alcohol, and that perception of availability increases to 1 in 3 Grade 8 students, 1 in 2 Grade 10 students, and 2 out of 3 Grade 12 students.

The cost of underage drinking

Underage drinking cost the citizens of Washington \$1.4 billion in 2007, according to the Centers for Disease Control. These costs include medical care, work loss, and pain and suffering associated with the multiple problems resulting from the use of alcohol by youth. Direct costs of medical care and loss of work alone equals \$515 million each year.

What lies ahead

While we have seen significant declines in teen alcohol use (e.g. 8th grade use has been cut in half since 1998), far too many of our youth continue to drink alcohol at a risk to both themselves and others. There is still much work to be done. The concerted effort of parents, communities, law enforcement, schools, local jurisdictions, businesses, and individuals is needed.

¹ National Institute on Alcohol Abuse and Alcoholism

² The Healthy Youth Survey is administered 6th, 8th, 10th, and 12th graders in public schools in Washington State every two years.

Why a Social Host Ordinance to Address Social Liability? What is it?

In Washington, 31% of 10th grade students who reported alcohol use in the previous 30 days said they obtained it from a party.³

We know underage drinking parties take place in communities throughout our state. It might begin innocently with a few friends getting together for Friday night movies and someone brings alcohol. It

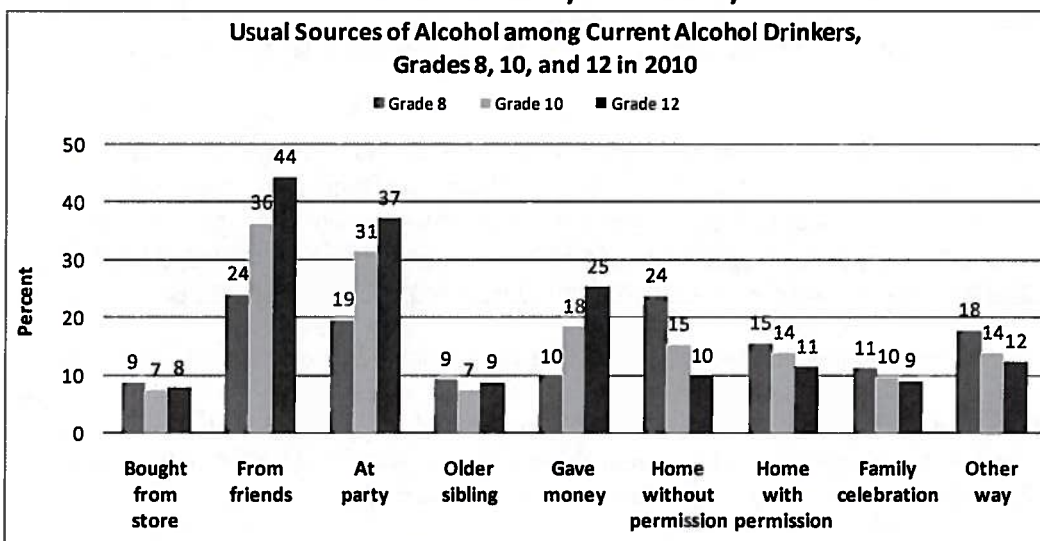


might be young college students home on break meeting friends, and an older sibling buys alcohol for them. Or it might be a party hosted by parents who have decided that it is safer to take away the keys and let young people party in their home.

In any case, what is not being considered is the wide range of harmful and sometimes devastating consequences that result from underage drinking. One needs to look no further than news articles from our own state to find real-life examples. (See Appendix.)

Because we know that the large majority of underage drinkers get their alcohol from social sources (parents, siblings, friends, at parties, etc.), some states and local communities have taken steps to hold liable those persons who knowingly provide or serve alcohol to minors or allow drinking on their property.

WA State Healthy Youth Survey



Survey Question: During the past 30 days, how did you usually get alcohol (beer, wine, or hard liquor)? Choose all that apply.

Notes:

- Students could check multiple responses.
- Students who reported "did not get alcohol in the past 30 days" were not included in the results.
- The sample sizes for the 2010 results in this figure are: 621 Grade 8; 898 Grade 10; and 1,121 Grade 12 students.

³Source: 2010 Washington Healthy Youth Survey. The results of the entire survey can be accessed at <http://www.doh.wa.gov/healthyyouth/default.htm>.

Social Host ordinances seek to restrict youth access to alcohol in these settings.

Social Host ordinances focus on the setting where drinking occurs regardless of who provides the alcohol. These local ordinances provide law enforcement with additional tools that go beyond the Revised Code of Washington (RCW 66.44.270), which prohibits providing (also known as furnishing) alcohol to minors. “Supply” or “permit” specifies overt action on the part of an individual.

RCW 66.44.270 (partial text – See Appendix for entire RCW)
Furnishing liquor to minors

(1) It is unlawful for any person to sell, give, or otherwise supply liquor to any person under the age of twenty-one years or permit any person under that age to consume liquor on his or her premises or on any premises under his or her control. For the purposes of this subsection, “premises” includes real property, houses, buildings, and other structures, and motor vehicles and watercraft. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter 9A.20 RCW.

When law enforcement arrives on the scene of an underage drinking party, it can be difficult to determine who furnished the alcohol. Social Host ordinances enable law enforcement to cite the individual who hosted the party or who owns or controls the property where parties occur. Under Social Host ordinances, these responsible individuals may include older peers, parents, landowners and tenants.

Most responsible adults understand how important it is not to furnish alcohol to minors or model irresponsible drinking behavior. Social Host ordinances address those who dismiss the health-related warnings, insist on serving minors, host parties, and/or look the other way when others host on their property. The intent is not to seek out and punish adults who are regularly monitoring their children and who take reasonable precautions to prevent their children from hosting underage parties.

An additional concern is that underage drinkers often binge drink (meaning 5 or more standard alcoholic drinks for men and 4 or more for women in a short amount of time) which can lead to serious consequences for youth, including: violence (e.g. fighting, sexual assault), accidents, alcohol poisoning and even death. Social Host ordinances seek to prevent these negative consequences, while filling gaps in statutes and offering local communities an additional law enforcement tool.

Does a Social Host ordinance make sense for your community?

Before pursuing a Social Host ordinance, it is recommended that you understand the problems associated with underage drinking in your community and the organizations or programs that are currently in place to address such problems. These can vary greatly by community depending on factors such as demographics and culture, population density, whether a college is located in your community, and available social and recreational options for youth. Conducting a community assessment and collecting information on youth substance use (how, when, where and what) from youth, parents, law

enforcement, health care providers and other community members allows you to define the problem of underage drinking in your community. A simple assessment tool is included in the Appendix to provide guidelines on the kind of information you will want to collect.

If you are interested in completing a larger, overall community assessment as part of a Substance Abuse Prevention Strategic Plan, the Substance Abuse and Mental Health Services Administration website is a good resource for doing so. It is recommended you use the Strategic Prevention Framework as your guide. It can be accessed at: <http://www.samhsa.gov/prevention/spfcomponents.aspx>

Once you have completed an assessment and are able to provide information on underage drinking and the associated problems for your community, you will be better able to know if a Social Host ordinance may be appropriate for your community. Social Host ordinances often make sense for communities when assessment findings indicate:

- That youth often obtain alcohol at parties on private property, such as in open lots, rental properties, residences, motels, wooded areas, etc.;
- There is a significant population of college students living off campus;
- There is a high instance of youth obtaining alcohol from family and friends; and
- There is a high incidence of binge drinking and the problems associated with such.

After assessing the community, it is recommended that a plan be developed outlining the specific strategies that will target the identified problems and issues. A sample plan is included in the Appendix.

Answering the question of “Why Now?”

As you discuss the issue of a Social Host ordinance, you may be asked why this is important. After all, some may say, I partied when I was young, and I turned out okay. It is important to help others understand that changes have occurred over time that increase the risk for young people. For instance, inexpensive, sweet, high alcohol content beverages in super-size containers are marketed in a manner that appeals to youth. Popular social networking sites, such as Facebook and Twitter, encourage binge drinking and glamorize heavy alcohol use.

A specific example that underscores this occurred in October, 2010. Nine students from Central Washington University were hospitalized for alcohol poisoning after consuming dangerous quantities of alcoholic energy drinks at a party. They didn’t know that the combination of high alcohol content (12 percent alcohol by volume), stimulants, and quantity (23.5 oz. in one can) was the equivalent of about 5 standard beers plus at least 3 cups of coffee. When students became ill and began passing out, they thought they had been drugged.

Newspaper articles with additional examples can be found in the Appendix.

Violence, an increased risk of alcohol dependence later in life, negative impacts on memory and learning, school drop-out, unwanted sex, sexually transmitted diseases, and alcohol poisoning are some of the unintended consequences of underage drinking.

The answer to “Why Now?” is that our youth are our priority.

What Are the Key Concepts of a Social Host Law or Ordinance?

Social Host ordinances focus on the location where drinking occurs.

Social Host ordinances hold **non-commercial individuals**, (e.g. older peers, parents, landowners, and tenants), responsible for underage drinking gatherings on property they own, lease, or otherwise control. Whereas furnishing laws target the act of **providing alcoholic beverages** to underage persons, Social Host ordinances target the **location** where underage drinking takes place.

Social Hosts are individuals who hosted the party, or who own or control the property where the party occurred. There are two main types of liability a Social Host faces when underage drinking occurs on the property they own or control:

Criminal Liability

A Social Host may be held criminally liable by law enforcement for committing a misdemeanor. Misdemeanor crimes may be punishable with fines and jail time.

Civil Liability

A Social Host may be found liable in a private lawsuit brought by someone injured by a guest allowed to drink on the host's private property. Civil liability on the local level may include monetary fines or other penalties, such as completing a prevention education program.

Options Available Through Washington State Law

Social Host Criminal Liability

Washington law currently makes it "unlawful for any person to sell, give, or otherwise supply liquor to any person under the age of twenty-one years or permit any person under that age to consume liquor on his or her premises or on any premises under his or her control." (RCW 66.44.270(1)). The violation of this subsection is a gross misdemeanor.

Law enforcement officers have found that the current state law is difficult to enforce because a person must have evidence that an adult knows that minors are drinking on their property and permitted it. Local Social Host ordinances create underage drinking laws that can be enforced without requiring proof of knowledge that underage drinking is occurring. Local Social Host ordinances can be written to target adults that fail to use reasonable precaution to keep alcohol out of the hands of minors.

For example, parents are planning an out-of-town trip. They have conversations with their teen about their expectations regarding behavior while they are gone, making it clear that parties are not allowed. They alert the neighbors to the fact they will be gone, and the neighbors are given the parents' phone number, and someone in the vicinity is identified as a responsible party who can make decisions in the parents' absence. The parents ask to be called if there are more than two cars at the home and/or if there are any indications of a party taking place. This may be considered reasonable precaution, especially if there is no history of questionable behavior on the part of the teen.

If parents are in the home but are in another location and not monitoring a get-together of teens, it may be determined that they reasonably should have known that underage drinking was occurring.

The benefit of having a local ordinance is that it can be made specific to local conditions. Examples of local conditions include: towns with underage drinking problems near universities or Greek system housing; and houses or communities where law enforcement officers are repeatedly asked to respond to problem party sites, such as hotels, apartments, or secluded rural locations.

Social Host Civil Liability

Civil liability can be developed through state statute or state court decisions. In Washington, there is no state civil statute that imposes liability for providing a location for an underage drinking event. Similarly, court decisions have established that social hosts are not liable to third persons for injuries arising from the host's furnishing of alcohol to minors or to obviously intoxicated adults.

"I have a really powerful picture, and it's of my 15-year-old, Ryan's younger brother, who was scattering Ryan's ashes, and he's just in a cloud of ashes. So I think, again you're going to parent the way you're going to parent. But for the majority of parents out there that allow their kids to drink, what are you teaching them? What are you teaching them?"

~Mother of Ryan, age 19, who died in an alcohol-related crash

Options Available Through Local Laws

Local options include a combination of criminal and civil penalties such as fines, emergency response costs, administrative fines and jail time. Communities may choose to enact one or more of the following options:

Social Host Criminal Liability, punishable by either criminal infractions (monetary fines) or criminal misdemeanors (jail time)

- Holds adults responsible for underage drinking on property they own, lease or otherwise control. Adults can be charged even if they did not provide alcohol and even if they are not on the premises. The language of the ordinance often refers to the fact that adults "knew or reasonably should have known" that underage drinking was occurring.

Social Host Civil Liability—through civil or administrative citations:

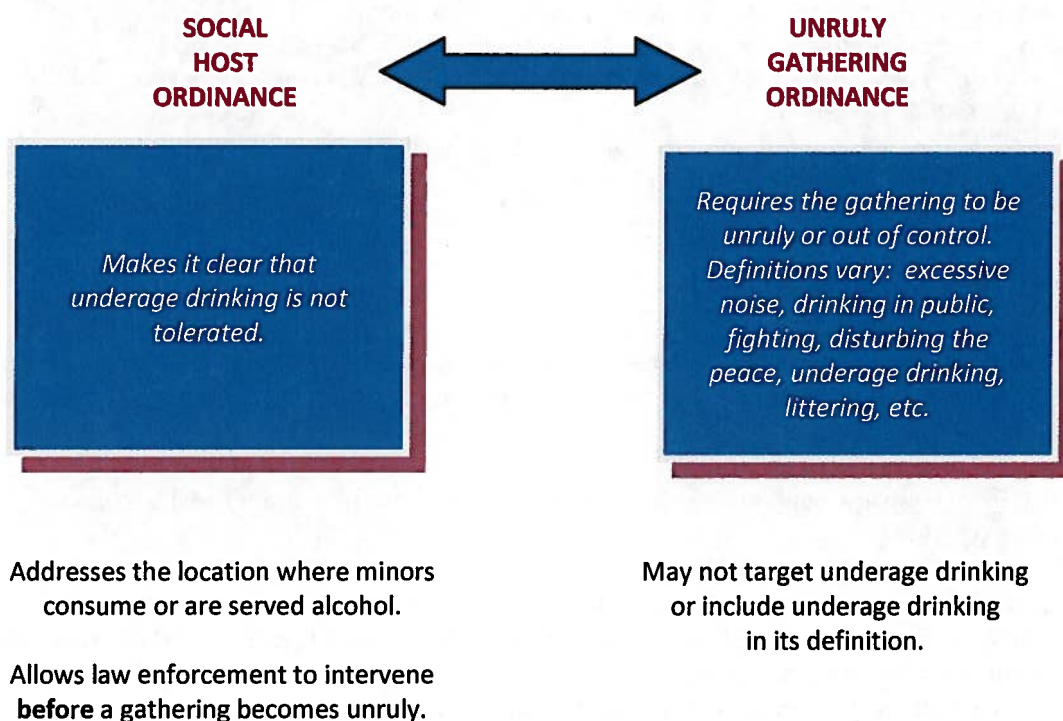
- **Response Cost Recovery**—Declares underage drinking parties on private property a public nuisance and holds Social Hosts civilly responsible for the costs of emergency response services provided in response to unruly gatherings (police, fire, and other emergency responders dispatched to parties, and court time necessary to settle a complaint).

- **Unruly Gathering Ordinance or “Red Tag” Ordinance**—Declares unruly gatherings unlawful and holds hosts civilly responsible by charging a fine that increases upon subsequent unruly gatherings. Note: Unruly gatherings are defined many ways, such as loud, with occurrences of fighting, underage drinking, etc. However, some communities don’t include underage drinking in their definition of “unruly.”

Comparing Social Host and Other Related Ordinances

The key question is: At what point as a community do we want law enforcement to intervene? In other words, how out of control does a party need to be before we want law enforcement to be involved? Social Host ordinances allow law enforcement to intervene when even a few underage drinkers are present and before the gathering becomes unruly.

While the advantage of an unruly gathering ordinance is that it gives law enforcement another tool to address loud and/or disruptive gatherings that do not necessarily include minors, the gathering may need to be out of control for law enforcement to be called. Also, noise ordinances, oftentimes the only option they have, can be very difficult to enforce, especially in communities with a small number of law enforcement officers.



Criminal Liability versus Civil Liability

Prosecuting parents, older siblings and friends as criminals may not be an effective deterrent to underage drinking, and may be a hard sell in a community. Instead, communities may decide to focus on

Civil Liability alone, such as Response Cost Recovery or Red Tag ordinances. Arguments for civil liability include:

- There is a lower **Standard of Proof** in civil cases than in criminal cases.
- May not require **Proof of Knowledge** that Social Host knew of underage drinking. (This can be worded to indicate liability if they knew or reasonably should have known.)
- Many municipalities have existing civil nuisance laws that can be modified to address underage drinking if they don't already. There is precedent for using nuisance laws in tobacco prevention work, as second hand smoke has been restricted by categorizing it as a public nuisance.

A woman accused of providing alcohol to a 17-year-old Tumwater boy has been charged with manslaughter in his death.

The autopsy showed he had a blood alcohol level of .36 percent and died of acute intoxication.

She told investigators she was trying to help homeless kids and preferred to have them drinking where she could keep an eye on them.

- From *The Olympian*, June 2010

Checklist for Drafting a Social Host Ordinance

☒ Identify the Problem(s) in Your Community

First, understand the local substance abuse problems by completing a community assessment. Next, employ a strategic planning process to logically connect the substance abuse problems with possible solutions. After completing this process, you may find that Social Host ordinances are an appropriate strategy to address circumstances such as:

- Teen drinking parties in private residences
- Parties on rural or forested land
- University or college drinking parties held in privately owned homes or apartment units
- Greek House parties
- Loud or unruly gatherings including underage and legal age persons in resort area settings (e.g., river resort areas, ski vacation rentals)
- Underage drinking parties held in warehouses or garages rented for that purpose, or in foreclosed homes
- Parties occurring in hotels or motels

To be most effective, the Social Host ordinance should be tailored to a local community's day to day underage drinking problems.

☒ Locate Relevant Existing State and Local Laws

Are there any existing local (city/county) laws on underage drinking, especially with regard to providing alcohol to minors, underage possession, underage consumption, and underage purchase, in your community? What are the existing local ordinances on public nuisances? What laws should be in place but are missing? The Social Host ordinance should be drafted in light of existing state and local (city or county) laws on underage drinking and local laws on public nuisance. In drafting a Social Host ordinance, one needs to know how other laws may affect the validity and enforcement of the Social Host ordinance.

Examine existing local public nuisance laws. The city or county's existing public nuisance laws may be modified to address underage drinking parties if this is the direction your community wants to go. This may be easier to achieve than passing a new stand alone Social Host ordinance.

☒ Draft the Key Components of a Community's Social Host Ordinance

The following questions are provided as a guide as you consider which types of Social Host liability are most relevant in your individual community. You may want to consider using case studies such as those available in the Appendix.

1. What is a "loud or unruly" gathering?

"Loud or unruly gathering" is defined many ways; in some cases, it's a gathering of just "two or more persons." With definitions like this, are residents subject to liability any time they decide to have a party of any kind? Does it include Thanksgiving Dinner with family and friends? (Current Washington State law does allow parents to furnish alcohol to a their minor child when

consumed in the presence of their parent or guardian but not on a licensed premises.) Compare other cities' ordinances. Some cities define unruly as five or more persons.

RCW 66.44.270 (partial text – See Appendix for entire RCW)
Furnishing liquor to minors

(3) Subsections (1) and (2)(a) of this section do not apply to liquor given or permitted to be given to a person under the age of twenty-one years by a parent or guardian and consumed in the presence of the parent or guardian. This subsection shall not authorize consumption or possession of liquor by a person under the age of twenty-one years on any premises licensed under chapter [66.24](#) RCW.

2. What kinds of conduct constitute a “loud or unruly” gathering?

With certain exceptions, Washington state statute prohibits alcohol consumption in public.

“Loud or unruly” conduct addresses the activity of drinking in public itself and the consequences of drinking in public, such as: excessive noise, fighting, disturbing the peace, etc.

“Loud or unruly” conduct may or may not include the conduct of underage drinkers, but some ordinances include the service of alcohol to minors or consumption of alcohol by minors as a definition of an unruly gathering.

“Loud or unruly” conduct language can be expanded to include the use of controlled and illicit substances. Another example of a definition is:

"...excessive noise or traffic, obstruction of public streets by crowds or vehicles, drinking in public, the service of alcohol to minors or consumption of alcohol by minors, fighting, disturbing the peace, and littering."

3. Who is a “responsible person”?

Communities should define whether Social Hosts under 18 or 21 years will be deemed “responsible persons” under the ordinance. Your city or county attorney can help with this distinction.

As an example, a “responsible person” can mean a person who is present and in charge of the premises or who organized the large party, gathering or event. If the Social Host is a minor, the minor’s parent(s) or legal guardian(s) are also deemed responsible.

Communities should define whether absentee landlords and management agents are to be held liable under the ordinance. Will they be held responsible upon the first occurrence or will they be given a warning?

Some locations include in their definitions of responsible persons “any sponsor of the event.” This may be helpful in holding “party crews” liable.

Communities should identify any exclusion to the ordinance. For example, a city ordinance may not impose liability when the individual in possession of the property “could not reasonably foresee” or “reasonably control” the unruly gathering, as long as they have “taken all steps reasonably necessary to exclude the uninvited persons from the premises.”

4. What kinds of private property should be included?

Think about the types of problem properties in your areas. Examples include open forested land, motels, parks, empty lots, etc.

5. If you choose to include “response costs,” what is the time frame for imposing response costs? How frequently do first responders have to return to a party site for the fine to apply?

In some cases, fines can be applied when emergency responders are called to return within a twelve-month period of an initial warning.

Some cities have a much smaller time period for a return visit. Some cities dictate that subsequent calls during a 12 hour period following the initial written notice may incur recovery costs. Others may use a 120 day or 180 day period for subsequent violations. Smaller periods make it harder for law enforcement to invoke response costs when parties may be infrequent, but the parties held there are loud or unruly.

6. How are response costs calculated and billed?

Some municipalities calculate according to a pre-determined schedule of costs. Other municipalities calculate according to a schedule of penalties set forth in the ordinance itself

What should the costs be?

- Costs may be graduated, with increasing levels of penalties, depending on the frequency of responses.
- Costs may be tied to actual costs. For example, costs may include: “number of officers required (if “increased response” is required), overhead, related medical treatment, other loss or damages incurred to police department.”

What procedures exist now that could be used? (E.g., public nuisance enforcement.)

- Some localities’ public nuisance procedures have an administrative fine or abatement costs recovery procedure.
- Some localities’ public nuisance procedures are judicial, taking place entirely in court.

Setting out a billing procedure, with a right to appeal procedure, in the ordinance is important so that the community is placed on notice as to how costs will be billed and then collected.

Describing procedure in law makes enforcement easier for law enforcement and fair to violators.

7. Exceptions or defenses to limit liability for response costs

We want to be careful about what behavior we encourage or discourage in a Social Host ordinance. For example, if there is a real emergency at an underage drinking gathering, we want youth to call for help. Communities may choose to include exceptions for an emergency, as in the Gilroy, CA ordinance. Sec. 19C.5.(b)(3) states that "...administrative cost recovery fees will not be imposed in those situations where those present at the gathering call for emergency services for an actual emergency at the premises."

8. Does it make sense to include a criminal fine, in addition to the penalty of response costs recovery?

In some Social Host ordinances, a provision is included to fine wrongdoers in addition to the costs associated with emergency responders. For example, the wrongdoer is fined \$250 for the first time the emergency responders come out to a party, \$500 for second visit, and \$1000 for a third or subsequent visit.

A fine for an infraction can be imposed when the terms of the Social Host ordinance are violated. An infraction is not punishable by imprisonment, however. Unlike the situation with misdemeanors and felonies, a person charged with an infraction is not entitled to a jury trial or to counsel appointed at public expense.

In criminal cases, the prosecution usually has the burden of proving that an individual intended to break the law. However, when strict liability is specified, it does not matter what was intended. It does not require proof that the responsible person knew or should have known that s/he allowed a loud or unruly gathering.

Working to Pass a Social Host Ordinance in Your Community

Stakeholder Involvement and Support

There are several key stakeholders that must be involved in order to gain support and develop a Social Host ordinance in your community. It is ideal to build these relationships in advance of pursuing a Social Host ordinance.

- Law enforcement- what is their assessment regarding enforcing underage drinking laws? Do they need an additional tool in order to intervene on underage drinking parties? Are they able to take action when called to underage drinking parties?
- Local government- whether the city, county, or other municipality, it is critical to include the decision-makers that would ultimately vote to enact such ordinances.
- Judicial System- the City or County Attorney and judges are key stakeholders as they are tasked with interpreting local ordinances.
- Parents- as these ordinances are primarily focused on parents and other adult enablers, they are key individuals to mobilize.
- Youth- should be a part of the process. In communities where youth have been part of the effort and spoken about the need to enforce laws, they have had a positive impact on social ordinances being enacted.

Know the Community and the Nature of the Problem

Community coalitions can help mobilize residents and decision-makers by understanding the needs of the community and providing local statistics. Access to local data can help elected officials understand the problems with underage drinking and to justify taking a stand against underage drinking. Examples of persuasive local data include the Washington Healthy Youth Survey results, focus groups with youth and parents, and key informant interviews. It may also help to reframe the underage drinking issue as a health risk to our youth, such as by sharing research data about:

- The danger of underage drinking and its effect on adolescent brain development,
- Youth mortality rates, and,
- Increased risk of sexual assault and other violent crimes, etc.

Samples of data and research information are included in the Appendix.

Assess the Barriers to Implementation

It is important to consider the barriers to implementation of a Social Host ordinance and plan strategies to address them. Possible barriers include:

- Prevalent community norms that condone or turn a blind eye to underage drinking.
- Teens will move to unsupervised settings to drink, thereby increasing the risk to them and others.

- The perception that the ordinance is unfair to homeowners who may be held liable even if they didn't know the incident was taking place.
- Creates the risk of abuse by law enforcement officers; is an invasion of privacy.
- The belief that law enforcement resources are inadequate to enforce the ordinance.
- Parties will be pushed from one jurisdiction to another that does not have an ordinance.

Basic Steps to Planning and Implementing Your Campaign

- 1) Identify the key decision-makers, such as city council members, the mayor, etc.
- 2) Determine the key allies who have influence with the decision-makers. Think about who in your group has contacts and can recruit these allies. Develop strategies for doing so.
- 3) Develop a written statement that defines the problem and presents the case for an ordinance. Include facts to support your cause.
- 4) Draft the ordinance. There are sample ordinances that can be found through an internet search. (See Appendix for more information.) Include your local City Attorney or Prosecuting Attorney's office in drafting and reviewing the ordinance if possible.
- 5) Plan and implement a media campaign to get community support for the ordinance. Include local youth in advocating for the ordinance.
- 6) Prepare the presentation to the local governing body. Involve community members. Tips for presenting to your city council are included in the Appendix.

Putting It into Practice: Good IDEAS

If your community has enacted a Social Host ordinance- **congratulations!** You have made a significant accomplishment in protecting the health and safety of youth by using an environmental strategy that is durable and likely to be sustained because it has been enacted into law. Take time to celebrate your accomplishment and prepare for the work ahead.

The next steps involve putting these good “IDEAS” into practice:

- **I**nforming the public of the new ordinance
- **D**isseminating materials to all essential stakeholders
- **E**nforcing the law by working with law enforcement
- **A**djudicating offenders and working with the judicial system
- **S**urveying stakeholders and evaluating the effects of the ordinance on the prevalence and consequences of underage drinking in the community

Educational Strategies

Enacting a Social Host ordinance is just the beginning. For the ordinance to do its work and be a truly effective mechanism for reducing the incidence of and consequences associated with underage drinking, it is critical the community and local law enforcement understand what a Social Host ordinance does and who Social Hosts are. Educational efforts must take place at all levels from educating individuals to educating community systems. Examples of educational efforts include media advocacy and dissemination of educational materials.

Informing Through Media Advocacy

The purpose of media advocacy is to utilize the media outlets in your community to educate community members on who social hosts are, what the ordinance covers, and how the ordinance will be enforced. Media advocacy can include public service announcements, billboard advertisements, letters to the editor and editorial columns in addition to press conferences. Please see the Appendix for samples.

Dissemination of Educational Materials

You’ll need to get the word out to the community overall and while media advocacy can be a great place to start, community members will want and need more detailed, focused information, etc. can be created to share the details of the new ordinance. Educational materials should be targeted to the people who need the education. It will be important to create educational materials specifically for law enforcement, parents, older siblings/friends, landlords and motel/hotel owners depending on the audience. Remember, educational materials at this point are focused on the specific ordinance your community passed and how it will affect community members. There may be a need for additional materials detailing the prevalence and consequences of underage drinking. Examples are included in the Appendix.

Enforcement Strategies

Law Enforcement members are skilled and highly trained individuals in the area of enforcement of existing laws. However, law enforcement members may not be aware of what Social Host ordinances mean, how they can be enforced, and what to do when they are issuing citations for violation of the ordinance. It is critical to work with your local law enforcement agency to provide any needed support when it comes to the enforcement of Social Host ordinances.

Examples of how to work with local law enforcement include:

- Train law enforcement officers on the meaning and application of the new ordinance.
- Develop or expand a pre-existing tip line so community members can report underage drinking parties. Tip lines provide police with the information to prevent underage drinking parties or intervene sooner.
- Educate the local neighborhood watch group to help identify underage parties and train them to correctly notify law enforcement.
- Collect data to understand the application of the law and determine if any gaps exist.

Adjudication Strategies

Much like local law enforcement professionals, the legal system in your community is comprised of a highly trained and skilled workforce. However, the judicial professionals may not be aware of or prepared to deal with violators of the Social Host ordinance. It is critical to work with the judiciary in your community and provide any support you can when it comes to adjudicating individuals found in violation of the Social Host ordinance. Examples of how you can work with the judiciary include:

- Train judges and prosecutors regarding the meaning and application of the new ordinance.
- Examine the policies of the judicial system to ensure that cases are handled consistently.
- Collect data to understand the application of the law and determine if any gaps exist.

Evaluation Strategies

It is critical to evaluate how the passage of a Social Host ordinance impacts the prevalence and consequences of underage drinking. You will need to determine what data sources in your community will indicate how underage drinking has changed as a result of the passage of a Social Host ordinance. Establish community level indicators prior to the passage of a Social Host ordinance to accurately demonstrate how the ordinance has impacted underage drinking. These indicators should be a part of community assessment information. Community-level indicators may include:

- Healthy Youth Survey data indicating the average age of initiation for first use of alcohol.
- Healthy Youth Survey data indicating the percent of youth engaging in underage drinking in the last 30 days.
- Healthy Youth Survey data indicating the percentage of youth engaging in binge drinking.
- Local Law Enforcement data detailing the number of citations issued to minors in possession or minors caught drinking.

- Emergency Department (ED) data indicating the number of admissions to the ED where alcohol is the primary or secondary reason for admittance.
- The amount of resources spent by the ED and law enforcement in addressing underage drinking. (It is expected that eventually there will be a need for fewer resources and services as behaviors change.)
- A shift in community norms.

It is also important to monitor and evaluate the implementation itself. Some questions to ask include:

- Is the community aware of the ordinance, including stakeholders and youth?
- Is law enforcement implementing the ordinance?
- Are the penalties associated with the ordinance being imposed?
- Have there been any additional barriers that need to be addressed?

Final Notes

Most people do not condone underage drinking but they get caught in believing the prevailing myths that lead them to allow parties in their home. They may think they are keeping kids safer with in-home parties, or they think they are taking away the mystery and allure of drinking by allowing it prior to their children turning 21. As you proceed, it is important to understand the reasons people have for social hosting, and address those with facts. Giving adults the tools to say no to social hosting will help to change the norms of your community.

Celebrate!

Once the ordinance is in place and being enforced, don't forget to CELEBRATE this accomplishment! Congratulations!

For Further Reading:

Preventing Underage Drinking Using Getting To Outcomes™ with the SAMHSA Strategic Prevention Framework to Achieve Results, pages 245-258:

http://www.rand.org/pubs/technical_reports/2007/RAND_TR403.pdf